IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPLLATE JURISDICTION

WRIT PETITION NO.9763 OF 2004

Mrs.Annie Nitin Barfe ..Petitioner

Vs.

1. Nitin Rajnikant Barfe ..Respondent

Mr.S.D.Patil for the petitioner

CORAM : S.U.KAMDAR, J
DATED : 21ST NOVEMBER, 2005

P.C.:

. The present petition is filed challenging the impugned order passed by the Family Court refusing to direct the respondent to undergo the medical test with regard to impotency. I have considered the aforesaid order. In my view, the order passed by the trial court is correct. It is not possible to permit the petitioner to gather evidence in support of her case of that dissolution of the marriage should be granted on the ground of impotency. It is at the trial of the suit only that the petitioner can seek such a relief after deposing her evidence. In that view of the matter,

petition is dismissed.